

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 77-89

ENFORCEMENT ORDER FOR ISSUANCE OF A TIME SCHEDULE

Order directing Sanitary District No. 5 of Marin County to comply with requirements prescribed by the California Regional Water Quality Control Board, San Francisco Bay Region in Order No. 77-88 (NPDES permit no. CA0037753).

The California Regional Water Quality Control Board, San Francisco Bay Region finds that:

1. This Board on July 19, 1977 adopted Order No. 77- 88 prescribing waste discharge requirements including a compliance time schedule for Sanitary District No. 5 of Marin County, (Main Plant) in accordance with the statutory requirements of the Federal Water Pollution Control Act and the California Water Code. The NPDES permit contains a compliance date of July 1, 1979 for achieving the effluent limitations as required by the Federal Act.
2. The discharger has submitted evidence which documents that the above requirements contained in Order No. 77- 88 cannot be achieved. The District is participating in the Marin-Sonoma Subregional Agency Study. This Study has been delayed due to the Federal EPA requirement for an Environmental Impact Statement and an expanded scope of work for the Agency.
3. The discharger has submitted a time schedule by which he can achieve the above requirements.
4. The Board has notified the discharger and interested agencies and persons of its intent to adopt a time schedule for compliance.
5. The Board in a public hearing heard and considered all comments pertaining to this discharger's ability to achieve compliance.

IT IS HEREBY ORDERED, that in accordance with Water Code Section 13300, Sanitary District No. 5 of Marin County shall comply with Provision D.2.a. of Order No. 77- 88 according to the following time schedule:

<u>1. Task</u>	<u>Completion Date</u>	<u>Report of Compliance Due</u>
Publish completed Draft EIR/EIS and draft facilities plan	October 1, 1977	October 15, 1977
Hold public hearing on Draft EIR/EIS	November 15, 1977	November 30, 1977
Complete institutional arrangements necessary to implement facilities plan	January 1, 1978	January 15, 1978
Publish and submit final EIR/EIS	May 1, 1978	
Submit Project Report and Step II grant application to SWRCB and this Board	May 1, 1978	
Submit time schedule for design and construction of facilities to meet requirements	May 1, 1978	

2. This Order expires on September 1, 1978. This Board declares that it shall not undertake further enforcement action to bring the discharger into compliance with secondary effluent limitations by July 1, 1977, as contained in Order No. 77- 88 provided:

- a. The discharger complies fully with all terms of the time schedule contained in this Order;
- b. The discharger complies fully with all terms of the permit with the exception of the provision D.2.a.
- c. Circumstances do not occur which would warrant modification of the permit of time schedule; and
- d. Circumstances do not occur which would warrant an action under Section 504 of the Federal Water Pollution Control Act.

The action taken by this Board pertaining to the time schedule does not preclude the possibility of actions to enforce the permit by third parties pursuant to Section 505 of the Federal Water Pollution Control Act.

I, Fred H. Dierker, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on July 19, 1977.

FRED H. DIERKER
Executive Officer